

MONTANA LEGISLATIVE HISTORY

Chapter 369 1989

Bill H 670 S _____ Original bill & history C

H. Committee on Business & Economic Development S. Committee on State Admin.

Hearing Date(s) Feb 12 C Hearing Date(s) Mar 14 C

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Date Out Feb 12 C

Mar 14 C

Did this bill originate in an interim committee? Yes No

Committee _____

Report _____

HOUSE BILL NO. 670

INTRODUCED BY CODY, WILLIAMS, JERGESON, HAMMOND,
GLASER, GOULD

IN THE HOUSE

FEBRUARY 13, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON BUSINESS & ECONOMIC DEVELOPMENT. FIRST READING.
FEBRUARY 16, 1989	ON MOTION BY CHIEF SPONSOR, REPRESENTATIVE ADDY WISHES TO BE REMOVED FROM BILL.
FEBRUARY 18, 1989	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
FEBRUARY 20, 1989	PRINTING REPORT.
FEBRUARY 21, 1989	SECOND READING, DO PASS. ENGROSSING REPORT.
FEBRUARY 22, 1989	THIRD READING, PASSED. AYES, 98; NOES, 2. TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 28, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON STATE ADMINISTRATION. FIRST READING.
MARCH 14, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 15, 1989	SECOND READING, CONCURRED IN.
MARCH 17, 1989	THIRD READING, CONCURRED IN. AYES, 46; NOES, 1. RETURNED TO HOUSE.

IN THE HOUSE

MARCH 18, 1989

RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 *HOUSE* BILL NO. *670*
 2 INTRODUCED BY *Greg Williams* *Jefferson Hammon*
 3 *McEldown* *Adley*
 4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE
 5 QUALIFICATIONS REQUIRED FOR A MASTER PLUMBER'S LICENSE; AND
 6 AMENDING SECTION 37-69-305, MCA."
 7
 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 9 **Section 1.** Section 37-69-305, MCA, is amended to read:
 10 "37-69-305. Qualifications of applicants for master
 11 plumber's license -- restriction on authority. (1) The
 12 following requirements ~~shall~~ must be met by an applicant for
 13 a master ~~plumbers'~~ plumber's license:
 14 (a) evidence of 4 years' experience as a journeyman
 15 plumber in the field of plumbing ~~of-a-character-satisfactory~~
 16 ~~to-the-board,~~ verified by time or pay records; and
 17 (b) ~~evidence-of--3--years'--experience--in--supervisory~~
 18 ~~capacities---in---the--field--of--plumbing;--which--may--run~~
 19 ~~concurrently-with-the-requirement-in-subsection-(1)(a);~~
 20 (c) satisfactory completion of an examination for
 21 master plumbers testing his knowledge of the field of
 22 plumbing and demonstrating his skill and ability in the
 23 field of plumbing.
 24 (2) For purposes of subsection (1), a year's experience
 25 is 1,350 hours or more of work in a continuous 12-month

1 period.
 2 (2)(3) A master plumber ~~shall~~ may not allow his license
 3 to be used by any person or firm, corporation, or business
 4 other than his own for the purpose of obtaining permits or
 5 for doing plumbing work under his license."
 6 **NEW SECTION. Section 2.** Extension of authority. Any
 7 existing authority to make rules on the subject of the
 8 provisions of [this act] is extended to the provisions of
 9 [this act].

-End-

availability we have of the markets in that area the better it is for the consumer. The language in this bill for the most part is housekeeping type language to clarify the intent and make compliance with the law easier.

Ms. Burke said they have worked the past year in conjunction with the insurance commissioner's office and her legal staff to draft and correct the wording of this bill. Everything has been covered and I recommend a do pass.

Mr. McGlenn said many of the Montana surplus lines agents are members in his association and we have been involved in working on this bill and strongly support it.

Testifying Opponents and Who They Represent:

None

Opponent Testimony:

None

Questions From Committee Members: None

Closing by Sponsor: Rep. Nelson recommends a do pass.

DISPOSITION OF HOUSE BILL 706

Motion: Rep. Bachini moved DO PASS.

Discussion: None

Amendments, Discussion, and Votes: None

Recommendation and Vote: HB 706 DO PASS unanimously.

HEARING ON HOUSE BILL 670

Presentation and Opening Statement by Sponsor:

Rep. Cody stated that her bill will revise the qualifications required for a master plumber's license. She said she had amendments to her bill.

Testifying Proponents and Who They Represent:

John Forkan, Anaconda

Proponent Testimony:

Mr. Forkan stated that he recommends with the amendments you give this bill a do pass.

Testifying Opponents and Who They Represent:

None

Opponent Testimony:

None

Questions From Committee Members: Rep. Kilpatrick asked Rep. Cody if these amendments will take care of any opposition to the bill. Rep. Cody said they do.

Closing by Sponsor: Rep. Cody said she would appreciate a do pass.

DISPOSITION OF HOUSE BILL 670

Motion: Rep. Bachini moved DO PASS and moved the amendments.

Discussion: None

Amendments, Discussion, and Votes: The amendments DO PASS.

Recommendation and Vote: HB 670 DO PASS as amended unanimously.

HEARING ON HEARING ON HOUSE BILL 705

Presentation and Opening Statement by Sponsor:

Rep. Hannah stated that this is a bill to reestablish a usury limit under the Montana Retail Installment Sales Act by setting the maximum finance charge at 10 percent a year; and provides an applicability date. Rep. Hannah had amendments to the bill which he passed out to the committee.

Testifying Proponents and Who They Represent:

None

Proponent Testimony:

None

DAILY ROLL CALL

BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE

51th LEGISLATIVE SESSION -- 1989

Date 2 17 89

NAME	PRESENT	ABSENT	EXCUSED
PAVLOVICH, BOB	✓		
DeMARS, GENE	✓		
BACHINI, BOB	✓		
BLOTKAMP, ROB	✓		
HANSEN, STELLA JEAN	✓		
JOHNSON, JOHN	✓		
KILPATRICK, TOM	✓		
MCCORMICK, LLOYD "MAC"	✓		
STEPPLER, DON	✓		
GLASER, BILL	✓		
KELLER, VERNON	✓		
NELSON, THOMAS	✓		
SIMON, BRUCE	✓		
SMITH, CLYDE	✓		
THOMAS, FRED	✓		
WALLIN, NORM	✓		
PAUL VERDON	✓		

ROLL CALL VOTE

BUSINESS AND ECONOMIC DEVELOPMENT

COMMITTEE

DATE 2/17/89 BILL NO. 670 NUMBER

NAME	AYE	NAY
Bob Pavlovich		
Bob Bachini		
Rob Blotkamp		
Gene DeMars		
Bill Glaser		
Stella Hansen		
John Johnson		
Vernon Keller		
Tom Kilpatrick		
Lloyd McCormick		
Thomas Nelson		
Bruce Simon		
Clyde Smith		
Don Steppler		
Fred Thomas		
Norm Wallin		

TALLY

16 —

Sue Pennington
Secretary

Bob Pavlovich
Chairman

MOTION: Bachini moved do pass ES
amended

STANDING COMMITTEE REPORT

February 17, 1989

Page 1 of 1

Mr. Speaker: We, the committee on Business and Economic Development report that HOUSE BILL 670 (first reading copy -- white) do pass as amended.

Signed: Robert Pavlovich, Chairman

And, that such amendments read:

1. Page 1, line 14.

Following: "as a"

Insert: "licensed"

2. Page 1, line 16.

Following: "records"

Insert: "of actual plumbing experience"

Following: ","

Strike: "and"

3. Page 1, line 19.

Following: "~~(1)(a)~~,"

Insert: "evidence of 3 years' experience working with a licensed master plumber or in a supervisory capacity in the field of plumbing, which may run concurrently with the requirement in subsection (1)(a); and"

4. Page 1, line 20.

Following: line 19

Insert: "(c)"

5. Page 1, line 25.

Strike: "1,350"

Insert: "1,500"

HOUSE FINAL STATUS

	RETURNED TO HOUSE WITH AMENDMENTS		
3/31	2ND READING AMENDMENTS CONCURRED	94	0
4/01	3RD READING AMENDMENTS CONCURRED	91	2
4/06	SIGNED BY SPEAKER		
4/06	SIGNED BY PRESIDENT		
4/06	TRANSMITTED TO GOVERNOR		
4/08	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 481	EFFECTIVE DATE: 10/01/89	

HB 669 INTRODUCED BY HANSON, ET AL.
REGULATE SELF-FUNDED HEALTH CARE PLANS

2/13	INTRODUCED		
2/13	REFERRED TO BUSINESS & ECONOMIC DEVELOPMENT		
2/15	FISCAL NOTE REQUESTED		
2/17	HEARING		
2/17	TABLED IN COMMITTEE		
2/21	TAKEN FROM TABLE BY COMMITTEE		
2/21	COMMITTEE REPORT--BILL PASSED AS AMENDED		
2/21	FISCAL NOTE RECEIVED		
2/21	2ND READING PASSED AS AMENDED	86	10
2/22	3RD READING PASSED	95	3
	TRANSMITTED TO SENATE		
2/28	REFERRED TO BUSINESS & INDUSTRY		
3/09	FISCAL NOTE PRINTED		
3/13	HEARING		
	DIED IN COMMITTEE		

HB 670 INTRODUCED BY CODY, ET AL.
REVISE REQUIREMENTS FOR MASTER PLUMBER

2/13	INTRODUCED		
2/13	REFERRED TO BUSINESS & ECONOMIC DEVELOPMENT		
2/17	HEARING		
2/18	COMMITTEE REPORT--BILL PASSED AS AMENDED		
2/21	2ND READING PASSED	96	2
2/22	3RD READING PASSED	98	2
	TRANSMITTED TO SENATE		
2/28	REFERRED TO STATE ADMINISTRATION		
3/14	HEARING		
3/14	COMMITTEE REPORT--BILL CONCURRED		
3/15	FISCAL NOTE REQUESTED		
3/15	2ND READING CONCURRED	47	0
3/17	3RD READING CONCURRED	46	1

	RETURNED TO HOUSE		
3/21	FISCAL NOTE RECEIVED		
3/21	FISCAL NOTE PRINTED		
3/23	SIGNED BY SPEAKER		
3/27	SIGNED BY PRESIDENT		
3/28	TRANSMITTED TO GOVERNOR		
3/29	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 369	EFFECTIVE DATE: 10/01/89	

HB 671 INTRODUCED BY PATTERSON, ET AL.
INCREASE SPEED LIMIT ON MONTANA HIGHWAYS

SENATE COMMITTEE ON STATE ADMINISTRATION

March 14, 1989

Page 14 of 36

Closing by Sponsor:

Representative Bradley thanked the committee.

DISPOSITION OF HB 412

Discussion:

Chairman Farrell explained the bill for those committee members who did not hear the bill. Senator Bengtson offered a motion that HB412 be concurred in.

Recommendation and Vote:

Motion passed by the committee that HB412 be concurred in.

HEARING ON HB 670

Presentation and Opening Statement by Sponsor:

Representative Dorothy Cody indicated that HB670 is an act revising the qualifications required for a master plumber's license, noting she serves on the administrative code committee, which oversees the rules. She reported she was contacted by one of her constituents who had worked for a plumbing contractor in Wolf Point for about 9 years, and had served his journeyman's time. She indicated it was required that the master plumber sign the application for him to take the master's test, but that the contractor refused to sign his application, noting his basis for not signing the application was that he had not had three years of supervisory experience. She stated that, however, the contractor was also the chairman of the Board of Plumbers, and there was bit of what might be called a conflict of interest. She indicated some of the rules the board developed seemed rather restrictive, and the committee did not feel they were addressed properly, according to the statutes. She reported that, as a result, the individual went to the Board of Plumbers, which gave him permission to continue working in the area of maintenance, although he could not get into new construction, unless he had the master plumber over him. She noted there was another gentleman in the community who agreed to do so. She indicated the individual left the employment of the contractor he had been working for, and that he was so busy, during Christmas, that, when she called him for a plumbing repair, she could not get him because he had 50 calls backed up. She indicated this

shows the community was 100% behind this individual, noting he was very upset about the situation. She stated the contractor also has, she thinks, a self-help corporation of family members, and has a son and a son-in-law for whom he signed for their master's test, and both had taken it.

Representative Cody stated she decided she just could not see this happening to some young couple, again, in this state, and she thought it was a bad deal for them, noting they have a nice family. She indicated that, in a two-man shop, there is no way he could get three years of supervisory experience, which was a problem, so they changed the law a little bit. She reported the Board of Plumbers considered 2,080 hours as one year's experience, which is entirely too long because, in this particular field or profession, they do not work on a 40-hour basis, and indicated they changed the hours to agree with the union contracts, which are, for their pension purposes, 1,500 hours. She reported she met with the plumbers, before the bill was presented in the House, and there were some amendments they worked out, which they were all agreeable with.

List of Testifying Proponents and What Group they Represent:

John Forkan, President, Montana Association of Plumbers and Pipefitters
Eugene Fenderson, Montana State Building Construction Trades Union

Testimony:

Mr. Forkan stated they would like to go on record in support of HB670. He reported they met with Representative Cody, that they came to an agreement regarding the amendments, and would like to urge passage of this bill.

Testimony:

Mr. Fenderson stated they, too, rise in support of the bill that the Representative and the plumbing industry have worked on, that it is a well-drafted bill, and they urge the committee's support.

List of Testifying Opponents and What Group They Represent:

None.

Questions From Committee Members:

None.

Closing by Sponsor:

Representative Cody stated it is a simple piece of legislation, and she strongly urges consideration of it.

Chairman Farrell announced the hearing on HB670 as closed.

DISPOSITION OF HB 670

Discussion:

Senator Bengtson offered a motion that HB670 be concurred in.

Recommendation and Vote:

Motion passed by the committee that HB670 be concurred in.

HEARING ON HJR 20

Presentation and Opening Statement by Sponsor:

Representative Gary Spaeth indicated that HB254 is somewhat of a companion resolution, although it is not really a companion resolution. He reported that, in the House, he had several supporters for the resolution, although he has done nothing to round up supporters, and indicated he can not imagine there being any opponents to HJR20. He stated that, because he helped draft it, he thinks it is a nice piece of work, and would urge the members of the committee to read it.

Representative Spaeth indicated that, because of the whole situation with the flag, and the salute to the flag, and citizenship, he thinks the whereases are extremely important and indicative of what, really, we stand for in this country, that the underlying values of what we have are found in the Bill of Rights, and what we've done in over 200 years of our existence. He noted that he wants to emphasize that the salute to the flag is not something to become involved in, that it means much more than that, and he wanted the House Joint Resolution to be a statement of the depth of what we stand for, in this country, noting he feels that is what the

ROLL CALL

STATE ADMINISTRATION COMMITTEE

51ST LEGISLATIVE SESSION

DATE: March 14, 1989

NAME	PRESENT	ABSENT	EXCUSED
HUBERT ABRAMS	✓		
JOHN ANDERSON, JR.	✓		
ESTHER BENGTON	✓		
WILLIAM E. FARRELL	✓		
ETHEL HARDING	✓		
SAM HOFMAN	✓		
PAUL RAPP-SVRCEK	✓		
TOM RASMUSSEN	✓		
ELEANOR VAUGHN	✓		

SENATE STANDING COMMITTEE REPORT

March 14, 1989

MR. PRESIDENT:

We, your committee on State Administration, having had under consideration HB 670 (third reading copy -- blue), respectfully report that HB 670 be concurred in.

Sponsor: Cody (Story)

BE CONCURRED IN

Signed: W. E. Parrell
William E. Parrell, Chairman

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2.51
p.m.